

Application No. 10/542,305
Amendment dated June 20, 2006
Reply to Office Action of March 21, 2006

Docket No.: 12810-00110-US

REMARKS

Claims 1-20 are now in the application.

Claims 1-20 were rejected under 35 USC 102(e) as being anticipated by US Patent 6,551,702 to Biedermann et al. (hereinafter also referred to as Biedermann). Biedermann fails to anticipate claims 1-20 since, among other things, Biedermann does not disclose an etherified melamine-formaldehyde as recited in the present claims. Biedermann mentions at column 6, lines 33-36:

Suitable melamine or urea resin solution with which the melamine dispersions are used in the form of the formulations are commercially customary products as recommended for paper impregnation. (emphasis mine)

Accordingly, Biedermann does not mention that these melamine resins are etherified. In fact, if anything, Biedermann teaches away from using an etherified melamine resin since typically only non-etherified melamine resins are used for paper impregnation.

Moreover, it is not apparent wherein Biedermann suggests a polymer dispersion as also recited in the present claims. For example, the copolymer of acrylic acid, methyl acrylate and 2-acrylamido-2-methylpropanesulfonic acid suggested as an anionic protective colloid at column 4, lines 35-37 of Biedermann is water-soluble.

Biedermann fails to anticipate the present invention since anticipation requires the disclosure, in a prior art reference, of each and every recitation as set forth in the claims. See *Titanium Metals Corp. v. Banner*, 227 USPQ 773 (Fed. Cir. 1985). *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 1 USPQ2d 1081 (Fed. Cir. 1986), and *Akzo N.V. v. U.S. International Trade Commissioner*, 1 USPQ2d 1241 (Fed. Cir. 1986).

There must be no difference between the claimed invention and reference disclosure for anticipation rejection under 35 USC 102. See *Scripps Clinic and Research Foundation v. Genetech, Inc.*, 18 USPQ2d 1001 (CAFC 1991) and *Studiengesellschaft Kohle GmbH v. Dart Industries*, 220 USPQ 841 (CAFC 1984).

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In view of the above response, applicant believes the pending application is in condition for allowance.

In the event the Examiner believes that an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 12810-00110-US from which the undersigned is authorized to draw.

Dated: June 20, 2006

Respectfully submitted,

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